REMARKS

Claims 1 and 13-17 have been cancelled. Claims 2-5, 9, and 18 have been amended. New claim 22 is added. Claims 2-12 and 18-22 are now pending in this application. Claims 5-12 and 18-21 are withdrawn from consideration but have been amended to depend from claim 2. Rejoinder is respectfully requested.

Support for the amendments is found in the existing claims and the specification as discussed below. Accordingly, the amendments do not constitute the addition of new matter. Applicant respectfully requests the entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

Information Disclosure Statement

The listing of the reference in the Information Disclosure Statement submitted June 15, 2007 contains a clerical error. The PNAS volume 101 should be number 27, not 26 as stated. A substitute listing of references is provided. Applicants apologize for the error and request that the citation be corrected.

Claim objections

Claims 2-3 are objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim.

With this amendment, claim 1 has been cancelled and claim 2 has been rewritten as the base claim. Claim 3 has been further amended. Reconsideration of the claim objection is respectfully requested.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 1-4 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office Action states that it is unclear how the recited drug can comprise different packages.

The claims have been amended to replace "drug" with "drug combination" in "divided doses" for the first agent and "one dose" for the second agent. Support for the amendment is found in the present specification, at least at page 10, line 20 to page 11, line 20.

In view of Applicants' amendments, reconsideration and withdrawal of the above ground of rejection is respectfully requested.

Rejection under 35 U.S.C. § 103(a)

Claims 1, 3, and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang, et al. (IDS of 3/27/06) as applied to claims 1-4, and further in view of Schmidt, et al. (J. Immunol. 172: 138-143, 2004).

Applicants would like to first clarify that no separate rejection of claims 1-4 based solely on Wang, et al. has been presented as implied by the language of the first paragraph of the rejection.

The Office Action further states that the a prima facie case cannot be made for claim 2 since the exact dose, or dosing schedule is not obvious. Accordingly, Applicants respectfully submit that the present claims are free of this ground of rejection as claim 1 has been cancelled and all remaining claims now depend ultimately from claim 2.

Regarding the reference teachings, the Office Action states that Wang et al. teach that lactoferrin can increase NK number. Wang, et al. do not teach an effect on proliferation. However, Schmidt, et al. teach that Toll-like receptor ligands, including polyIC, can activate NK cells.

None of the cited references teach or suggest the the combination of Toll-like receptor ligand such as polyIC at the dosages described in claim 2 of "divided doses for 5 to 10 days in an amount of 10 to 2000 mg/day/kg body weight in terms of the amount of lactoferrin" and "one dose in an amount of 10 to 1000 μg/day/kg body weight in terms of the amount of the Toll-like receptor ligand" as claimed and as described in the present specification (see Table 1 on page 19, for example). There is no apparent reason, based upon the cited references, to combine the Toll-like receptor ligand and lactoferrin at the dosages as claimed.

In view of Applicants' amendments and arguments, reconsideration and withdrawal of the above ground of rejection is respectfully requested.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather,

any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

Co-Pending Applications of Assignee

Applicant wishes to draw to the Examiner's attention to the following co-pending applications of the present application's assignee. Application in **Bold** is the present application.

Serial Number	Title	Filed
10/110,972	METHOD OF DETECTING AND IDENTIFYING THICKNESS OF SHEET-LIKE FOOD, METHOD OF MANUFACTURING SHEET-LIKE FOOD, AND DEVICES THEREFOR	04/18/02
10/432,551	INTERFERON THERAPEUTIC EFFECT-POTENTIATING AGENTS	05/23/03
10/451,587	INTERLEUKIN-18 INDUCING AGENT	06/23/03
10/492,306	METHOD OF PRESERVING FOOD, AND METHOD OF PRODUCING NON-FROZEN WATER	04/12/04
10/709,674	BIFIDOBACTERIUM LONGUM	05/21/04
10/510,088	CYSTEINE PROTEASE INHIBITOR	10/04/04
10/513,523	PROTEASE INHIBITOR	11/04/04
10/518,018	INTERLEUKIN-6 SUPPRESSIVE AGENT	12/15/04
10/526,988	CONTINUOUS EMULSIFICATION PROCESS FOR PROCESS CHEESE TYPE AND EQUIPMENT THEREFORE, AND CONTINUOUS PRODUCTION METHOD FOR PROCESS CHEESE TYPE AND EQUIPMENT THEREFOR	03/07/05
10/543,491	METHOD OF DETECTING BIFIDOBACTERIUM INFANTIS	07/26/05
10/548,927	PROCESS FOR PRODUCING CHEESE	09/12/05
10/562,384	CONTAINER, FROZEN MATERIAL PACKAGING BODY, AND METHOD OF MANUFACTURING PACKAGING BODY	12/27/05
10/564,302	DRUG FOR CANCER THERAPY	01/10/06

10/564,464	GLYCOSIDE HAVING 4-METHYLERGOST-7-EN-OL SKELETON AND HYPERGLYCEMIA IMPROVING AGENT	01/12/06
10/566,541	CHEWABLE CAPSULE AND PRODUCTION METHOD THEREOF	01/27/06
10/572,099	DRUG AND FOOD OR DRINK FOR IMPROVING HYPERGLYCEMIA	03/16/06
10/572,404	DRUG AND FOOD OR DRINK FOR IMPROVING HYPERGLYCEMIA	03/16/06
10/573,564	**DRUG AND METHOD FOR PROLIFERATING NATURAL KILLER CELLS**	**03/27/06**
11/580,173	INTERLEUKIN-18 INDUCER	10/12/06
11/576,652	DRUG AND FOOD OR DRINK FOR IMPROVING PANCREATIC FUNCTIONS	04/04/07
11/576,676	DRUG AND FOOD OR DRINK FOR IMPROVING PANCREATIC FUNCTIONS	04/04/07
11/577,301	DRUG AND FOOD OR DRINK FOR IMPROVING PANCREATIC FUNCTIONS	04/13/07
11/815,428	ALOE VERA EXTRACT, METHOD OF PRODUCING ALOE VERA EXTRACT, AND HYPERGLYCEMIA IMPROVING AGENT	08/02/07
11/913022	AGENT FOR INHIBITING VISCERAL FAT ACCUMULATION	29-Oct-2007

CONCLUSION

In view of Applicants' amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Nov. 8, 2007

By: Che S. Chereskin

Che Swyden Chereskin, Ph.D.
Registration No. 41,466
Agent of Record
Customer No. 20,995
(949) 721-6385

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